

REMARKS

Reconsideration of the application is respectfully requested in light of the remarks.

STATUS OF CLAIMS

Claims 3-22 are pending in the application.

CLAIM REJECTIONS- 35 USC §103

The Office Action (OA) has rejected claims 3-6, 9, 12-16, 18, and 22, at pages 2-9 of the Office Action, as being unpatentable over Sheddan et al. (US Pub. 2002/0194088) in view of Messer (US 7,020,622). Applicant traverses the rejection for the reasons described below.

Sheddan et al

Sheddan et al. discloses a fundraising system that allows a user to create a coupon book and order the coupon book for a price. The coupon book is subsequently sold for fundraising. Thus, the profits or the revenues are generated at the time the coupons in the coupon book are sold by the Cause. In that regard, Sheddan et al. discloses

FIG. 2 shows a block diagram illustrating the decisions facing a user when accessing the custom coupon book system from a client 102. The user can view 202 the information stored on the server 112 and select 204 the role that the user wishes to play, that is, whether the user desires to be a participant 212 and place an order for coupon books to sell 214, to be a merchant 222 and submit a coupon for inclusion in a coupon book 224, or to be a purchaser 232 and purchase a coupon book 234 or other merchandise related to a participant. As used herein, a participant is a person or entity who wishes to obtain a quantity of coupon books for resale. For example, a school selling coupon books to raise funds is a participant. A merchant is a person or entity who wishes to offer a coupon to the public by having it included in a coupon book. For example, a restaurant offering a coupon good for a reduced price on a meal is a merchant. A purchaser is a member of the public who wishes to purchase either an individual coupon book or

other merchandise to benefit a participant. (*Sheddan et al.*, paragraph 0024)

The OA characterizes Sheddan as disclosing “printing a coupon with a household ID number” and relies on a participant’s address as a household ID information. Applicant observes that Sheddan discloses that the coupon book order is printed and delivered to the participant but does not disclose that the coupon or any coupon is printed with a household ID number. (*Sheddan et al.*, para. [0009]).

Thus, Sheddan **does not** disclose a household ID number or identifying the selected Cause via the household ID number. Additionally, Sheddan explicitly defines a participant is a person or entity who wishes to obtain a quantity of coupon books for resale. Thus, the “participant” information is not a “household ID number” even if information from a participant would be printed on the coupon.

Additionally, the Office acknowledges that Sheddan does not disclose generating a revenue share shared with the selected Cause and the Website. (*See OA*, page 3) Thus, the Office relies on Messer to address this deficiency.

However, neither Sheddan nor Messer disclose generating a revenue share shared with the selected Cause and the Website, after redemption of said printed coupon wherein that portion of the revenue share generated for the selected Cause is fundraising revenue, as claimed in claim 3.

More specifically, Messer discloses that a USER has an identifier ... to permit tracking of

the USER by the Clearinghouse, to determine if and when the USER was involved in a purchase, and if to allocate a purchase commission to the Affiliate. (*See Messer*, col. 4, lines 7-12). In *Messer*, the USER's commerce activity on the Web is tracked. (*See Messer*, lines 15-16). Thus, *Messer* is not directed to printable coupons to be provided online through a Website for fundraising by a Cause, as in claim 3.

Messer also discloses an identifier used with select Affiliates include data fields for use to track select information such as ... a charity wherein subsequent purchase by the USER will trigger commissions, a portion of which are contributed to the charity on a periodic basis. (*See Messer*, col. 4, lines 12-19) *Messer* further discloses an embodiment where the USER can request that a portion of the commission be donated to a school, other individuals, or even a personal investment account as part of a coupon redeeming or "cash back" algorithm. (*See Messer*, col. 4, lines 20-24). *Messer* is otherwise silent with regard to how a coupon is received, redeemed or tracked, if tracked. For example, a coupon may be simply mailed.

Thus, *Messer* **does not** disclose generating a revenue share shared with the selected Cause and the Website, after redemption of said printed coupon wherein that portion of the revenue share generated for the selected Cause is fundraising revenue, as claimed in claim 3. There is no mention in *Messer* that a revenue share is associated with "redemption of said printed coupon." Instead, in *Messer* the user activity is tracked on the Web so as to generate a commission or a coupon.

Messer **does not** teach 1) a Process which allows printable coupons to be provided online

through a Website for fundraising by Causes; 2) identifying the selected Cause via the household ID number associated said printed coupon; and 3) generating a revenue share shared with the selected Cause and the Website, after redemption of said printed coupon wherein that portion of the revenue share generated for the selected Cause is fundraising revenue.

The examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. MPEP § 2142. To establish a *prima facie* case of obviousness under 35 U.S.C. § 103, two basic criteria must be met. First, the prior art references (or references when combined) must teach or suggest all the Claim limitations. Second, there is evidence that the combination of prior art references would yield a predictable result to one of ordinary skill in the art. *KSR International Co. v. Teleflex Inc.*, 127 S.Ct. 1727 (2007). Rejections on obviousness cannot be sustained with mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusions of obviousness. *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006).

In determining the scope and content of the prior art, Office personnel must first obtain a thorough understanding of the invention disclosed and claimed in the application under examination by reading the specification, including the claims, to understand what the applicant has invented. See MPEP § 904 (8th edition, revision 5, August 2006). The scope of the claimed invention must be clearly determined by giving the claims the “broadest reasonable interpretation consistent with the specification.” See *Phillips v. AWH Corp.*, 415 F.3d 1303, 1316 (Fed. Cir. 2005) and MPEP § 2111. Ascertaining the differences between the claimed invention and the

prior art requires interpreting the claim language and considering both the invention and the prior art as a whole. See MPEP §§ 2111, 2141.02

Sheddan is a system for ordering and purchasing coupon books that may be customized. The profits or the revenues are generated at the time of resale of the book. Thus, the revenue share in Sheddan is not generated after redemption of said printed coupon, as in claim 3. On the other hand, Messer discloses that a USER has an identifier ... to permit tracking of the USER by the Clearinghouse, to determine if and when the USER was involved in a purchase, and if to allocate a purchase commission to the Affiliate. (*See Messer*, col. 4, lines 7-12). There is no motivation to modify Sheddan with Messer. First, there is no suggestion to modifying Sheddan with a household ID. Each coupon or each book is not generated by a household requiring a household ID and to match up a coupon book during resale to a particular household is generally prohibitive. Instead, the coupon book is generated to make reproduction as well as resale efficient. Messer does not disclose a system or process that would provide a commission based on coupons in a coupon book of Sheddan.

Nonetheless, in view of the all the foregoing remarks, neither Sheddan nor Messer teach 1) a Process which allows printable coupons to be provided online through a Website for fundraising by Causes; 2) identifying the selected Cause via the household ID number associated said printed coupon; and 3) generating a revenue share shared with the selected Cause and the Website, after redemption of said printed coupon wherein that portion of the revenue share generated for the selected Cause is fundraising revenue, as in claim 3. Hence, the combination

of Sheddan and Messer cannot teach the claimed invention of claim 3.

For at least this reason, claim 3 patentably distinguishes and is therefore allowable over the prior art of record. Claim 13 contains similar language as claim 3. Thus the remarks above equally apply to claim 13 and is therefore allowable over the prior art.

Independent claims 2-6, 9, 12, 14-16, 18, 21 and 22 contain many of the same limitations as claims 3 and 13. Moreover, Applicants respectfully submit that many of the dependent claims recite features that are clearly lacking from the applied reference and, therefore, do not acquiesce to any of the prior art rejections.

Claims 7, 8 and 17 and 21

The OA has rejected claims 7, 8, 17 and 21, at pages 9-13 of the Office Action, as being unpatentable over Sheddan et al. in view of Messer and Narayan et al. (US Pub. 2002/0138348) and further in view of Humble (US 4,949,256). Applicant traverses the rejection for the reasons described below.

Claims 7 and 17 depend on independent claims 1 and 13. Narayan et al. and Humble do not teach the deficiencies described above in relation to claims 1 and 13. Therefore Claims 7, 8 and 17 are therefore allowable, at least by virtue of their dependence from claims 1 and 13.

Additionally, the systems by both Sheddan et al. in view of Messer teach away from the steps of processing the coupon by a redemption facility wherein said redemption facility process includes: receiving from a retailer the redeemed coupon; identifying the Sponsor associated the

redeemed coupon; and, generating duplicate redemption files, wherein a first redemption file is for the Sponsor and a second redemption file is for the Website, as in claim 7.

Modifying Sheddan, Messer or a combination of Sheddan and Messer with the limitations of claim 7, as alleged by the Examiner as being taught Narayan et al. and Humble, destroys the intended operation of Sheddan and Messer. Messer tracks user activity and not a “redeemed coupon.” Additionally, Sheddan sells books of coupons and does not track a “redeemed coupon” for a Website or Cause.

Claim 17 contains similar language. Thus, the remarks related to claim 7 equally apply to claim 17. Thus, claims 7 and 17 are allowable for these additional reasons.

Claim 8 depends from claim 7 and would be allowable by virtue of its dependency on claim 7. The rejection of claims 7, 8, 17 and 21 have been overcome and the rejections withdrawn.

Claims 10 and 19

The OA has rejected claims 10 and 19, at pages 13-14 of the Office Action, as being unpatentable over Sheddan et al. in view of Messer and further in view of Hung (US 7,257,545). Applicant traverses the rejection for the reasons described below.

Claims 10 and 19 depend on independent claims 1 and 13. Hung does not teach the deficiencies described above in relation to claims 1 and 13. Therefore Claims 10 and 19 are therefore allowable, at least by virtue of their dependence from claims 1 and 13.

Claims 11 and 20

Application No. 10/642,902
Inventor: Daniel M. Abraham

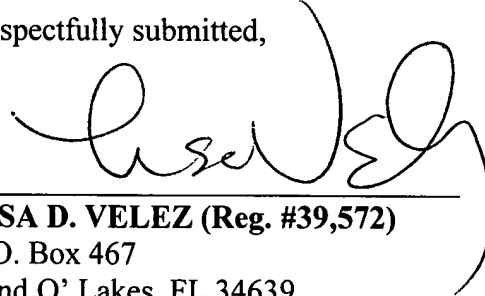
The OA has rejected claims 11 and 20, at pages 14-15 of the Office Action, as being unpatentable over Sheddan et al in view of Messer and further in view of Narayan et al. (US Pub. 2002/0138348). Applicant traverses the rejection for the reasons described below.

Claims 11 and 20 depend on independent claims 1 and 13. Narayan et al. does not teach the deficiencies described above in relation to claims 1 and 13. Therefore Claims 11 and 20 are therefore allowable, at least by virtue of their dependence from claims 1 and 13.

CONCLUSION

Based on the above amendment and remarks, it is submitted that all of the remaining claims in the case are allowable and an early notice of the same is respectfully solicited. If the Examiner feels a telephone conference will in any way expedite the disposition of this matter, he is respectfully invited to contact this agent at (985) 640-9289.

Respectfully submitted,



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